

REMARKS

Claims 1-35, 43-59, 67-86, 94-109 and 117-119 have been cancelled, and new claims 120-122 have been added. Accordingly, claims 36-42, 60-66, 87-93, 110-116, and 120-122 now remain pending in this application, and the Applicants respectfully submit that each of these claims is in condition for allowance.

The Examiner has rejected claims 1-21, 23, 25-29, 31, 33-38, 40, 42-43, 52-55, 57, 59-62, 64, 66-72, 74, 76-80, 82, 84-89, 91, 93-94, 103-105, 107, 109-112, 114 and 116-119 under 35 U.S.C. §102 as being anticipated by Worley et al. ("Worley" - U.S. Patent No. 6,651,190). The remaining claims are rejected under 35 U.S.C. §103 in view of Worley and either McGregor et al. (U.S. Patent No. 6,243,574) or Anderson et al. (WO 00/17766).

Claims 120-122

New claims 120-122 have been presented based on the limitations of claims 7-9, now cancelled. Support for this amendment can be found in the specification and the claims as originally filed (see e.g., paragraphs 36, 49-51). These claims are directed to embodiments where multiple signal emulators and/or multiplexers are employed to allow multiple users to contemporaneously monitor a given computing device (e.g. claim 120) or to contemporaneously monitor multiple computing devices (e.g. claim 122). In the latter case, it is contemplated that each user can monitor a different computing device, by appropriately selecting the computing device to be monitored. In a variant embodiment, a single user can contemporaneously monitor multiple computing devices (e.g. claim 121), by switching between different selected computing devices to be monitored. These embodiments differ from the systems described in the cited art, for the reasons provided below.

In response to the Examiner's objections to claim 7 as filed, where the Examiner suggests that the term "technician" implies multiple users, it is respectfully submitted

that Worley neither teaches nor suggests a system where multiple users can have access to the same computing device, and can contemporaneously monitor and control the same computing device. For example, there is no suggestion in Worley that there may be different "remote technicians", each at a different remote site, and each able to control and monitor the machine referred to in the paragraph cited by the Examiner (i.e. col. 1, lines 33-58).

In response to the Examiner's objection to claim 8 and 9 as filed, the Examiner suggests that it is implied that the monitored computer in Worley can be any number of computers. The use of multiplexers or similar means to select a computer from a plurality of computers to be contemporaneously controlled or monitored is neither taught nor suggested by Worley. At best, it is submitted that the reference to "remote computers" in the paragraph cited by the Examiner (i.e. col. 1, lines 37-39) would suggest that the technician may independently monitor one computer in the same way that it might monitor a different computer, e.g., with a separate monitoring device attached to each. No selection amongst multiple computers is disclosed in Worley, and no suggestion of means to permit such selection is made in Worley. It is respectfully submitted that without the benefit of prior knowledge of the Applicant's invention, a person skilled in the art would not make the inference suggested by the Examiner.

In view of the above, it is respectfully submitted that new claims 120-122 are directed to patentable subject matter.

Claims 36-42, 87-93

Claims 36 and 87 have been rewritten in independent form and amended to define embodiments where (text) strings, such as error messages, that are expected to be output from the computing device when an error has occurred are detected through output from a serial port. The passage cited by the Examiner (i.e. Worley, col 5., lines 32-54) only generally discloses low-level text access through interaction with a serial port. However, Worley does not explicitly teach that prespecified text strings can be

monitored from the serial port data stream, to generate an error signal or to perform some other action when one of the prespecified text strings are detected.

Claims 60-66, 110-116

Claims 60 and 110 have been rewritten in independent form and define embodiments where the computing device being monitored is a web server, and where a test is performed by requesting retrieval of a webpage from that web server (i.e. the web page resides on the computing device being monitored). This testing approach is neither taught nor suggested in the cited art. For example, in the passages cited by the Examiner (i.e. Worley, col. 1, lines 13-24, and col. 5, lines 55-67), reference is made to network access by the "host computer" (i.e. the host computer is computing device that is being monitored). This might suggest that testing network access would involve an attempt to successfully retrieve a webpage from a web server on the network by the computing device being monitored. However, Worley does not disclose a system where the computing device being monitored is itself a web server, and where a test can be performed by requesting retrieval of a webpage from that computing device being monitored.

Other claim objections

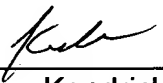
In view of the claims as amended, the remaining objections raised in paragraphs 1-4 of the Examiner's Action are now moot.

Appl. No. 09/922,276
Amdt. Dated March 21, 2005
Reply to Office action of September 22, 2004

For the foregoing reasons, in view of the amendments to the claims, the Applicant respectfully submits that the present application is 'now in position for allowance, and a notice to that effect is earnestly solicited. If the Examiner believes that a telephone interview would expedite allowance of the application, he is requested to contact the undersigned.

Respectfully submitted,

Bereskin & Parr
Agents for the Applicant

By  _____
Kendrick Lo
Reg. No. 54,948
(416) 364-7311